

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF HUMAN SERVICES

In the Matter of Revocation of the
Family Child Care License of Lorraine
Payne

PREHEARING ORDER

A prehearing conference was held by telephone on September 23, 2009. Lindsay W. Davis, Southern Minnesota Regional Legal Services, appeared on behalf of Lorraine Payne (Licensee). David F. MacMillan, Assistant Ramsey County Attorney, appeared on behalf of the Department of Human Services.

The parties agree that much of the evidence in this case is contained in documents and transcripts from prior proceedings. They will attempt to stipulate to the admission of those documents and to some of the underlying facts. However, since the credibility of the Licensee and others may be at issue, a hearing will be held to take oral testimony.

IT IS HEREBY ORDERED:

1. This matter is scheduled for hearing on **November 12, 2009**, commencing at **9:30 a.m.**, at the Office of Administrative Hearings, 600 North Robert Street, St. Paul, Minnesota.

2. The parties shall exchange proposed written exhibits and witness lists, and file an index of exhibits and a copy of the witness list with this office by **November 5, 2009**. See Minn. R. 1400.6950. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit shall notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.

3. Hearings are ordinarily digitally recorded. In the event that any party requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than **November 5, 2009**. See Minn. R. 1400.7400, subp. 2.

4. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at www.oah.state.mn.us.

5. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.

Dated this 24th day of September 2009.

s/Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge